
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	
	:	Hon. Madeline Cox Arleo
v.	:	
	:	Mag. No. 09-8122
CARLOS VARGAS and	:	
CARLOS ROSALES	:	DETENTION ORDER

This matter having been opened to the Court on motion of the United States, by Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (Brian L. Urbano, Assistant United States Attorney, appearing), in the presence of Carlos Rosales (James Kimball, appearing) for an order pursuant to Title 18, United States Code, Section 3142(e) to detain defendant Carlos Rosales without bail pending trial in the above-entitled matter, and the Court having addressed bail at defendant's initial appearance on July 17, 2009, the Court makes the following findings:

1. On July 17, 2009, a one-count complaint was filed charging defendant Carlos Rosales with conspiring to distribute and possess cocaine, contrary to Title 21, United States Code, Section 841(a) and (b)(1)(B), in violation of Title 21, United States Code, Section 846. The maximum term of imprisonment for the offenses charged is 40 years' imprisonment.

2. Defendant has consented to detention pending trial in this matter until such time as he is able to put together a proposed bail package for consideration by the Court.

3. Pursuant to Title 18, United States Code, Section 3142(e), the Court finds that there is probable cause to believe that defendant Rosales committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances

Act.

4. Having considered the factors set forth in Title 18, United States Code, Section 3142(g), including the substantial penalties faced by defendant, the Court finds that no condition or combination of conditions will reasonably assure the appearance of defendant Rosales as required.

5. Having considered the factors set forth in Title 18, United States Code, Section 3142(g), the Court further finds that no condition or combination of conditions will reasonably assure the safety of the community.

IT IS, therefore, on this 29 day of July, 2009


ORDERED that the motion of the United States for an order detaining defendant Rosales without bail pending trial is hereby granted without prejudice to defendant Rosales to file a motion for reconsideration, and defendant Rosales is hereby ordered detained pending trial in the above-entitled matter; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142, that defendant Rosales be committed to the custody of the Attorney General or his authorized representative pending trial; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that defendant Rosales be confined in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that defendant Rosales be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that, upon order of this or any other court of the United States of competent jurisdiction or on request of an attorney for the United States, defendant Rosales shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings.



HONORABLE MADELINE COX ARLEO
United States Magistrate Judge